

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, AUGUST 18, 2014**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:04 p.m. on Monday, August 18, 2014, with Councillor Lewis presiding.

Councillor Freeman introduced Dr. Chris Holland of Father's House, who led the opening prayer. Councillor Freeman then invited all present to join him in the Pledge of Allegiance to the Flag.

Councillor McQuillen asked for a brief moment of silence in recognition of the 10-year anniversary of the death of Indianapolis Metropolitan Police Department (IMPD) officer Jake Laird. Councillor Gray asked for thoughts and prayers for Councillor William Oliver, who is recovering from surgery.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

27 PRESENT: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
2 ABSENT: Brown, Oliver

A quorum of twenty-seven members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Lutz welcomed the new executive director of the Indianapolis International Airport, Mario Rodriguez, to the city. Councillor Pfisterer recognized Joe Herons, also from the Indianapolis Airport. Councillor Mansfield recognized supporters of the Clean Air initiative. Councillor Robinson recognized County Auditor Billie Breaux. Councillor McQuillen recognized the director of the Allisonville Gap group, Tim Graft. Councillor Gray recognized fellow golfer Mayor Gregory Ballard. Councillor Lutz recognized former City Councillor Ryan

Vaughn, Chief of Staff in the Mayor's Office. Councillor Cain recognized the director of the Department of Public Safety, Troy Riggs. Councillor Pfisterer recognized the director of the Department of Public Works, Lori Miser. Councillor Barth recognized Deputy Mayor Jason Kloth. Councillor Evans recognized the city's minority and women owned businesses director Greg Wilson.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, August 18, 2014, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Maggie A. Lewis
President, City-County Council

July 15, 2014

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, July 18, 2014 a copy of a Notice of Public Hearing on Proposal No. 229, 2014, and on Friday, August 8, 2014 a copy of a Notice of Public Hearing on Proposal No. 162, 2014, said hearing to be held on Monday, August 18, 2014, at 7:00 p.m. in the City-County Building and Notice of a Public Meeting of the Marion County Income Tax Council, said hearing to be held on Tuesday, July 29, 2014 at 5:30 p.m. in the Public Assembly Room of the City-County Building.

Respectfully,
s/NaTrina DeBow
Clerk of the City-County Council

July 22, 2014

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, NaTrina DeBow, the following ordinances:

GENERAL ORDINANCE NO. 31, 2014 – amends the Code to amend regulations applicable to breweries and distilleries

GENERAL RESOLUTION NO. 9, 2014 – approves the statement of benefits of Interactive Intelligence Group, Inc. and Duke Realty Corporation as an applicant for tax abatement for property located within an economic revitalization area

SPECIAL RESOLUTION NO. 41, 2014 – recognizes David Gadis for his 2014 induction into the Indiana Basketball Hall of Fame

SPECIAL RESOLUTION NO. 42, 2014 – honors the life and legacy of Merri J. Anderson

SPECIAL RESOLUTION NO. 43, 2014 – recognizes Teach for America Fellows Jake Resetarits, Khristopher Johnson-DeLoatch and Brian Dickey

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SPECIAL RESOLUTION NO. 44, 2014 – recognizes the Cathedral High School football team for winning the 5A State Title in 2013

s/Gregory A. Ballard, Mayor

The President recognized the Honorable Gregory A. Ballard, Mayor, who shared the following remarks:

Madam President and members of the City-County Council, we gather this evening once again to lay out a roadmap for the future of our great City.

Tonight I am introducing for consideration a budget that provides for the on-going prosperity of Indianapolis. It funds the most critical functions of our government and keeps the city on sound financial footing.

Indianapolis is a great city that stands as a model for innovation and growth. We are a city that is known as a great place to live and raise a family. We are a city that is attracting jobs and investment from some of the largest companies in the world. We are a city that is growing faster than it has in decades.

Indy is booming right now. You can see that in neighborhoods across Indianapolis. People in Haughville are excited, that after decades of talk, we are finally going to connect them to IUPUI, downtown and the IU Health campus. New developments are popping up in Broad Ripple, Downtown, Fountain Square, Mass. Ave, Avondale-Meadows and around the UIndy campus. Five million dollars is going into Tarkington Park. More than 50,000 trips have been taken on the Pacers Bike Share bikes. I could go on and on. It is an exciting time to live here and we can keep that momentum going.

To do that, our budget invests in our priorities: public safety, parks, and neighborhoods. It is responsible and controls the growth of spending. It reduces our structural deficit, leaves a little money in the bank as a cushion at the end of next year, and it does not borrow to pay our bills.

Indianapolis is seeing growth in revenue, but our projected revenue for 2015 is still \$63-million less than the City and County received in 2008, prior to the Great Recession and the implementation of property tax caps. Despite less revenue, our costs are going up. It costs more for healthcare, fuel, utilities and salaries than it did seven years ago.

This budget places the greatest emphasis on our top priority, public safety. 90 percent of the general fund is directed toward public safety and criminal justice. This budget provides funding for 50 new police officers and 20 new firefighters next year. It also pays for the 80 new officers that we are hiring this year. This budget grows the size of our police force and fire department, and it also takes care of the men and women who are currently protecting us right now. Our proposed budget fully funds raises for our police officers, firefighters, Sheriff's Deputies and AFCSME workers. It also provides the money for crime prevention grants and the increased cost of 9-1-1 dispatch and inmate medical care.

This budget funds what we need to fund, but it does not include money we don't have. It does not include any funding from RebuildIndy 2. So, instead of budgeting \$150 million on streets, sidewalks, parks and neighborhood improvements in 2015, this budget only contains the \$51 million we have on hand. It also does not include funding from our proposal to hire the largest police force in city history or help thousands of children from low-income families attend high-quality preschool.

As you know, a few weeks ago, we outlined plans to address many of the root causes of crime. This is not an Indianapolis only problem, but we are clearly at the forefront of addressing it. Our plan is holistic. It includes many parts ranging from helping parents and families, to mentoring, summer jobs programs, mandatory sentencing for gun criminals and more help for those being released from prison so they can successfully re-enter society.

Some parts of our plan need approval from this body, including approval of recommendations from the Council-created bi-partisan IMPD staffing commission. Leaders across Indy describe our plan as "smart" and "bold". They understand that long-term safety in our community takes more than just police; we must do the things that result in fewer criminals in the first place. Our plan is not part of this budget, but it is included in separate proposals being introduced tonight.

One week ago today – President Lewis, Vice President Barth and Majority Leader Gray and I sat down to discuss our plan in depth. Our talk marked a good start and I hope those discussions will continue to be productive in the weeks ahead.

As you probably learned over the weekend, Eli Lilly has stepped up to answer the call – as it always does, and they are pledging to bring others along. If we can come together to pass our early childhood education initiative, they will raise ten million dollars over the next three years to support it. That is already 40-percent of what we hoped to raise from outside sources. The time is now for us to act together to make our city safer and help guide thousands of children to better lives.

As this body begins its deliberations on these initiatives, I hope you will come together to do what is right for our children, right for the public safety of our citizens, and right for the future prosperity of our city. Now is the time for us to make the difficult, but necessary choices for the long-term success of Indy. I ask that you tackle those issues that are difficult to explain.

Later this week we will begin holding town hall meetings to discuss these proposals with people across Indy. We want to answer their questions and explain the promise these proposals hold.

By working together in the coming weeks and months, we can improve the lives of thousands of at-risk young people and make our city a safer and even better place to live. My team looks forward to working with you on these proposals in the coming months. Thank you.

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of July 14, 2014. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 251, 2014. The proposal, sponsored by Councillors Lewis, Adamson, Barth, Hickman and Robinson, recognizes the 24th Anniversary of the Americans with Disabilities Act. Councillor Barth read the proposal and moved, seconded by Councillor Adamson, for adoption. Proposal No. 251, 2014 was adopted by a unanimous voice vote.

Proposal No. 251, 2014 was retitled SPECIAL RESOLUTION NO. 45, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 45, 2014

A SPECIAL RESOLUTION recognizing the 24th Anniversary of the Americans with Disabilities Act.

WHEREAS, on July 26, 1990, the Americans with Disabilities Act (ADA) was passed into law by the United States Congress; and

WHEREAS, the ADA prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities; and

WHEREAS, the 24th anniversary represents landmark civil rights legislation that has improved the lives of millions of people. However, while the ADA has opened many doors for people with disabilities, there is still a delay from the rest of the population in terms of ability to secure economic equality, especially for college students; and

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WHEREAS, college students with disabilities are particularly at a disadvantage in obtaining employment after graduation. Employers often see the disability, and not the work ethic, loyalty or determination that actually pushed the student through college; and

WHEREAS, Distinguished Fellow Greg Fehribach has had the privilege to work with Ball State University's Bowen Center for Public Affairs and Eskenazi Health to establish paid internships for students with disabilities at one of the Nation's premier public hospitals; and

WHEREAS, this summer, four Ball State University students were interns at Eskenazi Health. This gave the students an opportunity to gain valuable professional and personal experiences; and

WHEREAS, the ADA celebrated its 24th Anniversary on July 26, 2014 with many events and initiatives throughout the country; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the 24th Anniversary of the Americans with Disabilities Act.

SECTION 2. The Council commends the ADA on its continuous effort to bring awareness to the community and provide people with disabilities the same opportunities as everyone else to participate in the mainstream of American life.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 252, 2014. The proposal, sponsored by Councillors Barth and Gooden, recognizes Caroline Farrar for thirty years of service, commitment and dedication as Executive Director of the Meridian-Kessler Neighborhood Association. Councillor Barth read the proposal and presented Ms. Farrar with a copy of the document and a Council pin. Ms. Farrar thanked the Council for the recognition. Councillor Barth moved, seconded by Councillor Gooden, for adoption. Proposal No. 252, 2014 was adopted by a unanimous voice vote.

Proposal No. 252, 2014 was retitled SPECIAL RESOLUTION NO. 46, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 2014

A SPECIAL RESOLUTION recognizing Caroline Farrar for thirty years of service, commitment and dedication as Executive Director of the Meridian-Kessler Neighborhood Association.

WHEREAS, Caroline Farrar began her service as Executive Director of the Meridian-Kessler Neighborhood Association thirty years ago; and

WHEREAS, Caroline's tenure has seen all of the challenges that come and go in an urban neighborhood, yet she has remained steadfast in her mission to preserve and enhance the viability of the neighborhood; and

WHEREAS, her support of neighborhood preservation, while also supporting thoughtful redevelopment and reuse, has allowed the neighborhood to continue to thrive; and

WHEREAS, many of Caroline's accomplishments were the result of years of hard work and persistence, including partnering with the City to bring a new library building and new fire station to 42nd Street and College Avenue, championing the redevelopment of the vacant Atlas Supermarket site (now home to The Fresh Market) and working to build the Vi Walker Neighborhood Grant Program which has distributed nearly \$300,000 to neighborhood senior, youth and service organizations; and

WHEREAS, because of Caroline's selfless leadership over the past 30 years, the Meridian-Kessler neighborhood is a better place; and

WHEREAS, her passion and her decades of effort have left a lasting impact of the Meridian-Kessler neighborhood; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly Caroline Farrar for thirty years of service, commitment and dedication as Executive Director of the Meridian-Kessler Neighborhood Association.

SECTION 2. The Council extends its appreciation and gratitude to Ms. Farrar, congratulates her on reaching this milestone, and wishes her continued success.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 266, 2014. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Vernon Brown. Councillor Gray read the proposal and moved, seconded by Councillor Talley, for adoption. Proposal No. 266, 2014 was adopted by a unanimous voice vote.

Proposal No. 266, 2014 was retitled SPECIAL RESOLUTION NO. 47, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 47, 2014

A SPECIAL RESOLUTION recognizing the public service of Councillor Vernon Brown.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Vernon Brown has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2004 through 2014; and

WHEREAS, Councillor Brown served on the Committee on Committees, Administration and Finance Committee, Public Safety and Criminal Justice Committee, Rules and Public Policy Committee and Parks and Recreation Committee, of which he chaired during his first term and Public Works Committee, of which he chaired during his third term. He also served on special committees in many other roles, including Majority Leader during his third term; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the ten years of dedicated service given by Councillor Vernon Brown as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Brown, and encourages him to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 267, 2014. The proposal, sponsored by Councillor Adamson, recognizes the the value of a Presidential Youth Council. Councillor Adamson read the proposal and presented representatives with copies of the document and Council pins. Activist Jackson Blanchard and

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Chet Bowser, Youth Council, thanked the Council for the recognition. Councillor Adamson moved, seconded by Councillor Hickman, for adoption. Proposal No. 267, 2014 was adopted by a unanimous voice vote.

Proposal No. 267, 2014 was retitled SPECIAL RESOLUTION NO. 48, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 2014

A SPECIAL RESOLUTION recognizing the value of a Presidential Youth Council.

WHEREAS, our nation faces serious challenges in the near future that could significantly impact the lives of young Americans for decades to come; and

WHEREAS, the majority of 18 to 29-year-old Americans (71%) do not believe they have a voice in their government; and

WHEREAS, the unique perspectives and insights of these young people are vital to the future success of our nation. Bridging this gap in interest is a necessity; and

WHEREAS, a Presidential Youth Council could help young Americans believe their voices are being heard; and

WHEREAS, this Council, representing the diversity of Americans, could provide the 104 million Americans under the age of 24 a substantive say in governmental policies that affect them. It could serve as a sounding board for federal agencies' youth-related initiatives making the federal government more efficient and effective; and

WHEREAS, Governors, State Legislatures, Mayors, and City Councils have created Youth Councils that have proven to be an effective means of garnering input from young people, leading to more effective and efficient policies; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council urges the establishment of a Presidential Youth Council to advise the President and the administration on the perspectives of young people, to make public policy-related youth programs more efficient and effective, and to address issues that will affect the long-term future of the United States.

SECTION 2. That copies of this resolution be transmitted by the Clerk of the City-County Council to the members of the Indiana Congressional delegation.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 253, 2014 The proposal, sponsored by Councillors Talley and McQuillen, approves Daniel E. Dinkins as a person who may be appointed to certain Common Construction Wage Committees. Councillor McQuillen explained that Lawrence Township is in need of an appointee to their Common Construction Wage Committee immediately in order to proceed with some necessary projects. He said that a former appointee to this committee does not live within the proper taxing district for a certain project within the Ft. Harrison Reuse Authority, and the immediacy is due to some deadlines and funding. He said that information about Mr. Dinkins has been provided to each Council member this evening. Councillor McQuillen moved, seconded by Councillor Talley, for adoption. Proposal No. 253, 2014 was adopted on the following roll call vote; viz:

26 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley

1 NAY: Holliday

2 ABSENT: Brown, Oliver

Proposal No. 253, 2014 was retitled COUNCIL RESOLUTION NO. 78, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 78, 2014

A COUNCIL RESOLUTION approving Daniel E. Dinkins as a person who may be appointed to certain Common Construction Wage Committees.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Pursuant to Sections 282-204 and 205 of the Revised Code, the Council hereby approves Daniel E. Dinkins as a person who may be appointed by the council president to serve on common construction wage committees for the taxing units of Fort Harrison Reuse Authority, Lawrence Township, City of Lawrence, Metropolitan School District of Lawrence Township, Marion County and other county-wide taxing units and Consolidated City taxing units.

SECTION 2. The approval granted by this resolution shall continue until the council revokes it by resolution.

PROPOSAL NO. 191, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 191, 2014 on July 23, 2014. The proposal, sponsored by Councillors Moriarty Adams, Barth and Lewis, appoints Mary Weber to the Domestic Violence Fatality Review Team. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Moriarty Adams moved, seconded by Councillor Barth, to strike. Proposal No. 191, 2014 was stricken by a unanimous voice vote.

PROPOSAL NO. 241, 2014. Councillor Barth reported that the Community Affairs Committee heard Proposal No. 241, 2014 on July 22, 2014. The proposal, sponsored by Councillors Adamson, Evans, Oliver, Mansfield, Miller, Osili, Robinson and Gray, encourages Indianapolis Power & Light Co. to include in its 20-year energy plan a thorough cost-benefit analysis of continuing to burn coal in Marion County versus investing in greater amounts of clean, renewable energy, and reducing toxic emissions at the Harding Street plant. By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Barth moved, seconded by Councillor Adamson, to strike. Proposal No. 241, 2014 was stricken by a unanimous voice vote.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 242, 2014. Introduced by Councillor Evans. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits of Becknell Industrial, LLC, an applicant for tax abatement for property located in an economic revitalization area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 243, 2014. Introduced by Councillors Miller and Osili. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$350,000 in the 2014 Budget of the Department of Metropolitan Development (Community Development

Block Grants Fund) for construction of the track and field at Central State"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 244, 2014. Introduced by Councillors Miller and Osili. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$670,000 in the 2014 Budget of the Department of Metropolitan Development (Federal Grants Fund) for the removal of blighted properties"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 245, 2014. Introduced by Councillors Moriarty Adams and Osili. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$95,000 in the 2014 Budget of the Marion County Community Corrections (County General and County Cumulative Capital Funds) to fund four additional customer service managers' salaries, benefits and other associated costs and two vehicles for home visits"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 246, 2014. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the adoption of the Division of State Court Administration's statewide court case management system called Odyssey"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 247, 2014. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the execution of an amendment to add the Roth option to the deferred compensation plan of the City of Indianapolis and Marion County for its sworn firefighters"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 248, 2014. Introduced by Councillors Pfisterer, Lutz, Hunter, Gooden, McQuillen, Evans, Freeman, Miller, Sandlin and Shreve. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which proposes an ordinance of the Marion County Income Tax Council to rescind the local homestead credit and increase the income tax rate for public safety, effective January 1, 2015, and to cast the vote of the City-County Council on such ordinance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 249, 2014. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to revise sections establishing stormwater user fees and other related sections to provide revenue for stormwater capital improvement projects and enhance stormwater operations and maintenance programs"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 250, 2014. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which requests that the Metropolitan Development Commission initiate a proposal to amend and make additions to existing zoning ordinances to allow digital advertising signs in Marion County with appropriate restrictions"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 254, 2014. Introduced by Councillors Barth, Mansfield and Adamson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which urges the General Assembly to require that all local unit agreements to pay a contractor's property taxes go through the statutory abatement process"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 255, 2014. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which approves the tax levy and rate for the Police Special Service District for 2015"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 256, 2014. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which approves the tax levy and rate for the Fire Special Service District for 2015"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 257, 2014. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which approves the tax levy and rate for the Solid Waste Collection Special Service District for 2015"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 258, 2014. Introduced by Councillors Lewis and McQuillen. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for the City of Indianapolis and Marion County for 2015"; and the President referred it to the Administration and Finance, Metropolitan and Economic Development, Parks and Recreation, Public Safety and Criminal Justice and Public Works Committees.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 259-265, 2014. Introduced by Councillor Robinson. Proposal Nos. 259-265, 2014 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on August 8, 2014. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 54-60, 2014, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 54, 2014.

2014-ZON-012

2722, 2742 AND 2748 SOUTH HOLT ROAD (*Approximate Address*)

WAYNE TOWNSHIP, CD # 19

JOSEPH CHAMBERLIN AND LISA FARLEY, by Frank W. Hogan, requests Rezoning of 0.59 acre, from the D-5 District, to the C-5 classification to provide for a catering business.

REZONING ORDINANCE NO. 55, 2014.

2014-ZON-022

6300 SOUTHEASTERN AVENUE, 2402 HUNTER ROAD AND 6221 EAST RAYMOND STREET (*Approximate Addresses*)

WARREN TOWNSHIP, CD # 25

MACALLISTER MACHINE COMPANY INC., by Eugene Valanzano, requests Rezoning of 133.5 acres, being in the D-A and C-S districts, to the C-S classification to provide for an industrial use, including corporate offices, light and heavy vehicle and equipment sales and rental, light and heavy vehicle and equipment service, repair and storage facilities, new and used vehicle and equipment parts sales, service and storage, outdoor display and storage of light and heavy vehicles, equipment, machines and parts, with accessory uses and operations including, welding shops, wash bays, fuel islands, sandblast shops, painting booths, test facilities, cold storage areas, outdoor equipment and machinery test area, outdoor equipment and machinery staging area, trash compactor and old tractor storage / museum building.

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REZONING ORDINANCE NO. 56, 2014.

2014-ZON-025

918 FORT WAYNE AVENUE

CENTER TOWNSHIP, CD # 9

NEIGHBORHOOD DOWNTOWN ZONING ASSISTANCE requests Rezoning of 0.84 acre from the C-4 District to the CBD-2 classification to provide for a multi-family residential development.

REZONING ORDINANCE NO. 57, 2014.

2014-ZON-028

1314 EAST ST. CLAIR AVENUE

CENTER TOWNSHIP, CD # 16

TIM AND HEIDI ALTOM requests Rezoning of 0.168 acre from the I-3-U District to the D-8 classification to provide for residential uses.

REZONING ORDINANCE NO. 58, 2014.

2014-ZON-031

1702 PROSPECT STREET

CENTER TOWNSHIP, CD # 16

BEAKER GROUP requests Rezoning of 0.16 acre from the C-4 District to the C-3C classification to provide for residential and commercial uses.

REZONING ORDINANCE NO. 59, 2014.

2014-ZON-032

1125 EAST 10TH STREET

CENTER TOWNSHIP, CD # 16

BUILDER'S MANAGEMENT, INC., by Ursula David, requests Rezoning of 0.0875 acre from the C-2 District to the D-8 classification to provide for residential uses.

REZONING ORDINANCE NO. 60, 2014.

2014-CZN-816

4568 East County Line Road

Perry Township, Council District #24

Sheehan Companies, by Russel L. Brown, requests Rezoning of 14.17 acres from the D-A district to the D-8 district to provide for multi-family residential uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 162, 2014. Councillor Barth reported that the Community Affairs Committee heard Proposal No. 162, 2014 on August 4, 2014. The proposal, sponsored by Councillors Barth and Miller, appropriates \$100,000 in the 2014 Budget of the Office of the Mayor (Consolidated County Fund) for early childhood education programs via a public purpose grant to be awarded to the United Way of Central Indiana. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Adamson asked to be added as a co-sponsor to this proposal.

Councillor Freeman said that if it were not for good teachers who saw something in him along the way, he would not be where he is today. He said that they need to try to reach as many kids as they can to put them on a path to higher education and they deserve that chance.

Councillor Scales encouraged the Lilly executives to seek donations to fund this program through private donations with all their connections and resources. The city has an obligation to fund vital services with limited resources, and they do not have a legal responsibility to fund preschool, yet have a legal responsibility to fund these areas that are in desperate need of funding and are severely underfunded. She said that taxpayers are facing more and more increases, fees and taxes, and she does not want any more money to be diverted from funding a police recruit class to

fund preschool opportunities. She said that Lilly is a highly profitable philanthropic organization and she would like to see preschool expanded, but not with the limited tax dollars.

Councillor Mahern said that in many years, this proposal will reduce the cost of many of the things Councillor Scales referred to. He said that they must make a point to move forward with early education, or they will have problems on the back end if they do not do something now on the front end.

Councillor Hickman asked to be added as a co-sponsor and said that this is a starting point and she is in favor of the proposal.

Councillor McQuillen said that he would rather see these dollars used to educate children rather than fund raises for himself and other elected officials.

Councillor Pfisterer said in the larger scheme of things, this is not a great amount of money, and it is used to leverage so much more. She said that in planning jails in a community, the community bases those decisions on how many second graders fail.

Councillor Barth said that this is an opportunity to jumpstart success in the lives of at-risk children. He said that Indiana is one of the few states that does not have pre-Kindergarten available for their children.

Councillor Lutz said that an ounce of prevention is worth a pound of cure, and he said that he supports the ordinance.

Councillor Miller said that this is a small amount of money and will have a larger impact because of ten times the match from others. He said that they are doing the least they can do to help low-income families.

Councillor Scales said that the raises she referred to were not for Councillors, but civilians who work within IMPD. She said that she gives away all the salary she earns from the Council, but others work hard and should be rewarded. She said that it could be done privately, or funded by the state.

The President called for public testimony at 8:14 p.m.

Larry Vaughn, citizen, said that this is no less than embezzlement, with no contracts in place basing this on contingencies. He said that this is a smear campaign against black churches.

Councillor Evans said that it is time to have preschool for children, and they must make an effort to keep these dollars local. He said that Marion County has the wherewithal to take on this initiative to upgrade the educational climate.

Jocelyn Tandy Adande, president of African American Republican Council in Indianapolis, said that there is no contract with the city, and this is taxpayer dollars being given to a non-profit entity. She said that she does not know how they were the ones selected. Councillor Barth said that those comments are with regard to Proposal No. 163, 2014.

Councillor Hunter said that the debate they should be having is how to do more for pre-K in this city, as the impact has been proven again and again as paying off in the end. He said that it is sorely needed in Indianapolis.

There being no further testimony, Councillor Barth moved, seconded by Councillor Miller, for adoption. Proposal No. 162, 2014 was adopted on the following roll call vote; viz:

25 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Talley
2 NAYS: Cain, Scales
2 ABSENT: Brown, Oliver

Proposal No. 162, 2014 was retitled FISCAL ORDINANCE NO. 33, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 33, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) to appropriate an additional One Hundred Thousand Dollars (\$100,000) for purposes of the Office of the Mayor.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Office of the Mayor.

SECTION 2. Appropriates \$100,000 for the Office of the Mayor, from the Consolidated County fund, for early childhood education programs, via a public purpose grant to be awarded to the United Way of Central Indiana. The funds will be granted by the United Way to the State or highly qualified providers of early childhood services within Marion County who will use those funds as their match for the State of Indiana's Early Education Grant Pilot program.

SECTION 3. The following additional appropriations referenced above are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Consolidated County fund (15001)	0	0	100,000	0	0	100,000

SECTION 4. Upon approval of this, and other pending approvals, the projected 2013 and projected 2014 year-end fund balances for the Consolidated County Fund are as follows:

Fund	Projected 2013 year-end balance	Projected 2014 year-end balance
Consolidated County Fund (15001)	18,862,556	4,945,458

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 211, 2014. Councillor Adamson reported that the Public Works Committee heard Proposal No. 211, 2014 on July 24, 2014. The proposal, sponsored by Councillors Sandlin and Brown, approves an additional appropriation of \$5,152,500 and a transfer of \$11,000,000 in the 2014 Budget of the Department of Public Works (Transportation General, Consolidated County, Federal Grants and Stormwater General Funds) to fund street repairs, the Pennsy Trail greenway development project, and stormwater capital projects. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8: 25 p.m.

Mr. Vaughn said that some of the repairs being made around the County are lasting no more than a couple of months, and they need to monitor this work more closely.

Councillor Pfisterer asked Mr. Vaughn to get them specific addresses so that they can look into it, as there is a bonding process and the city can go back on the bond to have it fixed properly.

There being no further testimony, Councillor Adamson moved, seconded by Councillor Gray, for adoption. Proposal No. 211, 2014 was adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley

0 NAYS:

2 ABSENT: Brown, Oliver

Proposal No. 211, 2014 was retitled FISCAL ORDINANCE NO. 34, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 34, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) appropriating an additional \$5,152,500 and transferring \$11,000,000 for purposes of the Department of Public Works.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Department of Public Works.

SECTION 2. A total of \$3,000,000 is transferred in the budget of the Department of Public Works to fund street repairs resulting from the extreme winter temperature changes and a transfer of \$8,000,000 to the Consolidated County (Rebuild Indy) Fund.

The following additional appropriation is hereby approved:

Department of Public Works

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Transportation General			3,000,000	(11,000,000)		(8,000,000)
Consolidated County (Rebuild Indy Fund)				8,000,000		8,000,000

SECTION 3. A total of \$800,000 is appropriated in the budget of the Department of Public Works to fund the remaining balance of a federal grant for the Pennsy Greenway trail development project.

The following additional appropriation is hereby approved:

Department of Public Works

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Federal Grants				800,000		800,000

SECTION 4. A total of \$4,352,500 is appropriated in the budget of the Department of Public Works to fund the continued design and construction of identified high priority storm water projects throughout 2014.

The following additional appropriation is hereby approved:

Department of Public Works

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Storm Water General			190,000	4,162,500		4,352,500

SECTION 5. Upon approval of this, and other pending approvals, the 2013 and projected 2014 year-end fund balances for the Transportation General Fund are as follows:

Fund	2013 year-end balance	Projected 2014 year-end balance
Transportation General	19,434,238	15,209,796
Consolidated County	178,819,719	102,644,649
Storm Water General	16,542,507	9,276,918

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 349, 2012. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 349, 2012 on many occasions beginning in November, 2012, with the last hearing on July 21, 2014. The proposal, sponsored by Councillors Scales, Talley, Hickman, Miller and Cain, approves an amendment to the declaratory resolution and redevelopment plan for the Fall Creek/Citizens Consolidated Redevelopment Area. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillors Robinson, Scales, McQuillen, and Adamson voiced their support for the proposal and thanked Councillor Hickman for her work to make the amendments and gain consent.

Councillor Robinson moved, seconded by Councillor Talley, for adoption. Proposal No. 349, 2012 was adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
 0 NAYS:
 2 ABSENT: Brown, Oliver

Proposal No. 349, 2012 was retitled GENERAL RESOLUTION NO. 10, 2014, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 10, 2014

A GENERAL RESOLUTION approving an amendment to the declaratory resolution and redevelopment plan for the Fall Creek/Citizens Consolidated Redevelopment Area in the City of Indianapolis, Indiana.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana (the "Commission"), serves as the Redevelopment Commission of the City of Indianapolis, Indiana (the "City") under Code § 36-7-15.1 (the "Act"), and in that capacity, the Commission serves as the governing body of the City of Indianapolis Redevelopment District; and

WHEREAS, the Commission previously adopted and confirmed resolutions (as amended from time to time, collectively, the “Declaratory Resolution”) establishing a redevelopment project area known as the “Fall Creek/Citizens Consolidated Redevelopment Area” (the “Redevelopment Area”), and adopting a redevelopment plan for the Redevelopment Area (the “Redevelopment Plan”); and

WHEREAS, the Commission, pursuant to the Act, adopted Resolution No. 2012-R-002 on January 4, 2012 (the “Amending Resolution”) amending the Declaratory Resolution and the Redevelopment Plan to (i) designate a portion of the Redevelopment Area as the Avondale Meadows Allocation Area, and (ii) adopt a supplement to the Redevelopment Plan (the “Plan Supplement”);

WHEREAS, it is the desire and the intent of the City-County Council to expand small business development, workforce development, employment opportunities and community development for businesses and individuals living in and surrounding the Avondale Meadows Allocation Area by increasing local hiring, promoting minority employment and ensuring the City-County Council and the citizens the City of Indianapolis are informed about employment opportunities and job creation in the Fall Creek/Citizens Consolidated Redevelopment Area and the Avondale Meadows Allocation Area;

WHEREAS, in addition to establishing and designating a portion of the Redevelopment Area as the Avondale Meadows Allocation Area in accordance with the Amending Resolution, the City has committed, in connection with and conditioned upon this Resolution, to the following: (1) expand the boundaries of the Redevelopment Area as further described herein; (2) implement and fund a Workforce Training Program as further described herein; (3) implement and fund a Microloan Program as further described herein; and (4) evaluate and report to the City-County Council on the feasibility of establishing a Housing TIF (as defined herein) in a portion of the Expanded Redevelopment Area (as defined herein); now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Section 9 of the Act, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the “City-County Council”) determines that the Amending Resolution and the Plan Supplement for the Redevelopment Area, in all respects, with and conditioned upon the modifications described herein, conform to the plan of development for the City, and approves in all respects, with and conditioned upon the modifications described herein.

SECTION 2. The City-County Council hereby authorizes and approves of the Amending Resolution and the Plan Supplement for the Redevelopment Area conditioned upon the Commission amending, modifying and expanding the boundaries of the Redevelopment Area as shown on Exhibit A hereto (the “Expanded Redevelopment Area”).

SECTION 3. The City-County Council hereby authorizes and approves of the Amending Resolution and the Plan Supplement for the Redevelopment Area conditioned upon the Commission establishing or utilizing a Workforce Training Program, consistent with IC 36-7-25-7, to be funded from the Avondale Meadows Allocation Area (or other funds of the Commission or the City made available through the use of funds of the Avondale Meadows Allocation Area pursuant to eligible substitutions or offsets) and made available for the benefit of individuals residing in or serving the Expanded Redevelopment Area and Avondale Meadows Allocation Area. The amount of funding for the Workforce Training Program will be determined based on the amount and timing of funds generated from the Avondale Meadows Allocation Area or other funds made available to the Commission and the level of demand for and participation in the Workforce Training Program.

SECTION 4. The City-County Council hereby authorizes and approves of the Amending Resolution and the Plan Supplement for the Redevelopment Area conditioned upon the Commission establishing or utilizing a Small Business Microloan Program, consistent with IC 36-7-25-7, from current funding resources of the Commission or the Business Ownership Initiative of Indiana (“BOI”) and made available to small businesses located in or serving the Expanded Redevelopment Area and Avondale Meadows Allocation Area. The amount of funding for the Microloan Program will be determined based on the funding resources of BOI and the level of demand for and participation in the Small Business Microloan Program.

SECTION 5. The City-County Council hereby supports and encourages the establishment of an Avondale Meadows Advisory Committee composed of representatives of neighborhood organizations, community development corporations and community leaders serving the Expanded Redevelopment Area and Avondale Meadows Allocation Area to provide advice to the Commission, the City and the City-County Council regarding projects, programs and initiatives to be developed and funded in and surrounding the Avondale Meadows Allocation Area.

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SECTION 6. The City-County Council hereby authorizes and approves of the Amending Resolution and the Plan Supplement for the Redevelopment Area conditioned upon the Commission amending the Amending Resolution to evaluate and study the feasibility of establishing a Housing Program and Housing Tax Increment Allocation Area (the "Housing TIF"), through and by the Department of Metropolitan Development and pursuant to the Act, in the geographic area south of the Avondale Meadows Allocation Area within the Expanded Redevelopment Area or in such areas or as otherwise deemed feasible by the Department of Metropolitan Development. The Department of Metropolitan Development will provide the Housing TIF feasibility study and recommendations to the City-County Council for its review upon completion.

SECTION 7. In all other respects, the City-County Council hereby affirm and ratifies the Amended Resolution of the Commission subject to and conditioned upon the Commission making such modifications as described herein to the Amended Resolution and consistent with the Memorandum of Agreement, dated January 2014, between the Commission and the City-County Council Regarding Additional Policies Related to the Creation, Expansion and Operation of Tax Increment Financing Districts.

SECTION 8. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code §§ 36-3-4-14, 36-3-4-15 and 36-3-4-16.

PROPOSAL NO. 163, 2014. Councillor Barth reported that the Community Affairs Committee heard Proposal No. 163, 2014 on August 4, 2014. The proposal, sponsored by Councillors Barth and Miller, approves a public purpose grant to the United Way of Central Indiana totalling \$100,000 for the purpose of expanding access for Marion County children to high-quality early childhood education. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Adamson asked to be added as a co-sponsor to the proposal. Councillor Miller thanked the Office of Education Innovation for securing this grant.

Councillor Barth moved, seconded by Councillor Adamson, for adoption. Proposal No. 163, 2014 was adopted on the following roll call vote; viz:

25 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Talley
2 NAYS: Cain, Scales
2 ABSENT: Brown, Oliver

Proposal No. 163, 2014 was retitled GENERAL RESOLUTION NO. 11, 2014, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 11, 2014

PROPOSAL FOR A GENERAL RESOLUTION to approve a public purpose grant to the United Way of Central Indiana totaling \$100,000 for the purpose of expanding access for Marion County children to high-quality early childhood education.

WHEREAS, Chapter 181, Article VII, of the Revised Code of the Consolidated City and County provides that a public purpose grant may be disbursed by the City subject to appropriation approval by the city-county council; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. A grant totaling One Hundred Thousand Dollars (\$100,000) is hereby awarded to the United Way of Central Indiana for the limited purpose of expanding access for Marion County children to high-quality early childhood education. The United Way of Central Indiana will first utilize this grant for the purposes of providing the matching funds for the State of Indiana's Early Education Grant Pilot Program which is codified at I.C. 12-17.2-7.2. The grant funds shall be administered by the Office of Education Innovation by means of a written agreement with United Way of Central Indiana.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 194, 2014. Councillor Adamson reported that the Public Works Committee heard Proposal No. 194, 2014 on July 24, 2014. The proposal, sponsored by Councillor Gray, designates East 22nd Street, from North Olney Street to Sherman Drive, as the Father Boniface Hardin Memorial Way. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Adamson moved, seconded by Councillor Gray, for adoption. Proposal No. 194, 2014 was adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley

0 NAYS:

2 ABSENT: Brown, Oliver

Proposal No. 194, 2014 was retitled SPECIAL RESOLUTION NO. 49, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 2014

A SPECIAL RESOLUTION designating East 22nd Street, from North Olney Street to Sherman Drive, as the Father Boniface Hardin Memorial Way.

WHEREAS, Father Boniface Hardin was ordained to the priesthood in may of 1959, and served as associate pastor of Holy Angels Church for six years, beginning in 1965. During his time at Holy Angels, Father Hardin became a visible figure within the community, as he fought for the fair treatment of African Americans within the justice system; and

WHEREAS, in 1969, Father Hardin founded the Martin Center, which was dedicated to educating the community on racial sensitivity, the history of the African American people, and other social justice issues. He also traveled throughout the country presenting racial justice workshops and consulting with corporate and public organizations; and

WHEREAS, Father Hardin later co-founded Martin College, now Martin University, with Sister Jane Schilling in 1977. Martin University, which is located in the Martindale/Brightwood area, focused on providing education to adult learners who had not been able to obtain a college education; and

WHEREAS, Father Hardin served as the President of Martin University for 30 years before retiring in 2007. He also sat on the boards of many community organizations, was a frequent speaker and partner in activities involving religion, health, and social justice, and has received many awards and honors, including honorary degrees from several colleges and universities; and

WHEREAS, Father Hardin passed away on March 24, 2012. Through his love and dedication for his community, his memory lives on through Martin University and the community as a whole; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council does hereby honor the memory of Father Boniface Hardin, co-founder of Martin University, by designating East 22nd Street, from North Olney Street to Sherman Drive, as the Father Boniface Hardin Memorial Way.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 195, 2014. Councillor Barth reported that the Rules and Public Policy Committee heard Proposal No. 195, 2014 on July 8 and August 5, 2014. The proposal, sponsored by Councillors Barth, Miller, Adamson and Mahern, amends the Code by adding a new Chapter 851 establishing the Indianapolis-Marion County Landlord Registration Program. By a 5-3 vote,

the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Barth moved, seconded by Councillor Miller, for adoption. Proposal No. 195, 2014 was adopted on the following roll call vote; viz:

Councillor Miller made the following motion:

Madam Chair:

I move to amend Section 1 of Proposal No. 195, 2014, as previously amended in committee, by adding the language underlined and deleting the language that is stricken-through in the highlighted sections, to read as follows:

SECTION 1. "The Revised Code of the Consolidated City and County" is hereby amended by adding a new Chapter 851, to read as follows:

CHAPTER 851 - INDIANAPOLIS LANDLORD REGISTRATION PROGRAM

Sec. 851-101. Program established.

~~The Indianapolis Landlord Registration Program is hereby established. Rental Units and Communities are a vital part of the fabric of our city. They play a critical role in finding good and affordable living for our residents. Thus, by reason of their operation, use, or occupancy they affect or are likely to affect the public health, safety and general welfare of the city.~~

~~In many cases, identifying a landlord is very difficult due to the property being registered under an LLC or an out of state owner. Thus it is hard to hold negligent landlords accountable for properties that are negatively impacting their tenants and the surrounding neighborhood. It is also very hard to connect the dots and identify a bad landlord that owns many properties around the city and is causing a burden on the tax payers to deal with their code violations.~~

~~The chronology of events before a property becomes abandoned and thus a financial and public health liability for Indianapolis has shown in many of those cases that the properties were poorly kept rentals. Property ownership comes with responsibility and when someone rents a property to the public, there are additional responsibilities. Many properties that are poorly kept have owners who are, and at times deliberately so, difficult to track down. To address this issue, the Indianapolis Landlord Registration Program is hereby established.~~

Sec. 851-102. Authority.

Effective June 30, 2014, House Enrolled Act No. 1403 (2014) allows political subdivisions to establish and enforce registration and inspection programs for rental units within the political subdivision, subject to certain conditions and limitations.

Sec. 851-103. Definitions.

(a) *Department* means the Department of Code Enforcement or its designee

(b) *Landlord* has the meaning set forth in IC 32-31-3-3.

(c) *Owner* has the meaning set forth in IC 32-31-3-4.

(d) *Tenant* has the meaning set forth in IC 32-31-3-10

(e) *Person* has the meaning set forth in IC 32-31-3-5.

(f) *Rental Unit* has the meaning set forth in IC 32-31-3-8, ~~with the sole exception except that being an owner-occupied structure that;~~

- a. ~~has no portion of the area thereof promised for the use of a residential tenant, or~~
- b. ~~has a single sleeping unit being rented to a Tenant~~

~~shall not be considered a "Rental Unit."~~

(g) *Rental Unit Community* has the meaning set forth in IC 36-1-20-1.5.

Sec. 851-104. Registration Program.

(a) Beginning on January 1, 2015, all owners or landlords of rental units within the city must register with the ~~4D~~Department via a method or form prescribed by the ~~4D~~Department. The registration form shall include the following:

- 1) the name, telephone number, and ~~a physical business or domicile~~ address of the owner. ~~A secondary address (not required to be physical) can be used for availability to the public;~~
- 2) the name and address of:
 - a. a person residing in Indiana authorized to manage the rental unit; and
 - b. a person who is authorized to act as agent for the owner for purposes of service of process and receiving and receipting for notices and demands;

as provided in IC 32-31-3-18;

- 3) an affirmation that the rental units, the real property of which the rental units are a part, and any other rental unit property owned or registered by the owner in Marion County, are not subject to any un-remediated citation of violation of the state and local codes and ordinances;
- 4) ~~notwithstanding section 801-202 of this code,~~ an affirmation that there ~~are no~~ ~~is not more than one~~ delinquent ~~payment of~~ real property taxes, assessments, or penalties (other than those that are the subject of an ongoing appeal ~~or bankruptcy proceedings~~) with respect to the property, or any other rental unit property owned or registered by the owner in Marion County;
- 5) a statement of the number of rental units on each separate parcel of real property covered by the registration.

(b) Beginning on January 1, 2015, an owner or landlord of a rental unit must pay to the ~~4D~~Department an initial registration fee as provided in Section 131-501. Only one registration fee is required for all rental units in a rental unit community. If a rental unit is not part of a rental unit community, a separate registration fee must be paid for each separate parcel of real property on which a rental unit is located, unless they are all registered at the same time.

(c) In the event of a change of ownership, the new owner or landlord must, not later than thirty (30) days after the change of ownership, pay the registration fee as provided in Section 131-501 and provide updated registration information to the ~~4D~~Department.

(d) Registrations must be renewed annually. The renewal fee may be up to the amount as provided in Section 131-501, as determined by the ~~4D~~Department.

(e) The owner or landlord must notify the ~~4D~~Department within thirty (30) days of any changes to registration information.

Sec. 851-105. Inspection Program.

(a) Notwithstanding IC 36-1-20-4, no inspection program will be implemented to enforce the provisions of this chapter.

Sec. 851-106. Landlord Registration Fund.

There is hereby created a special fund, to be designated as the "Landlord Registration Fund." This fund shall be a continuing, non-reverting fund, with all balances remaining therein at the end of the year,

and such balances shall not revert to the city or county general funds. The controller shall deposit in this fund all fees assessed and collected pertaining exclusively to a rental unit or rental unit community. This fund shall be dedicated solely to reimbursing the costs actually incurred relating to the Indianapolis Landlord Registration Program.

Sec. 851-107. Penalties and Enforcement.

(a) Failure to register as required by Section 851-104 is subject to admission of violation and payment of a civil penalty for each rental unit or rental unit community in violation in an amount provided in Section 103-52 of the Code.

(b) Failure to update the registration within 30 days of a change in ownership as required by Section 851-104 is subject to admission of violation and payment of a civil penalty for each rental unit or rental unit community in violation in an amount provided in Section 103-52 of the Code.

(c) Failure to renew the registration as of January 1st each calendar year as required by Section 851-104 is subject to admission of violation and payment of a civil penalty for each rental unit or rental unit community in violation in an amount provided in Section 103-52 of the Code.

(d) Failure to update the registration within 30 days of a change in anything other than ownership as required by Section 851-104 is subject to admission of violation and payment of a civil penalty for each rental unit or rental unit community in violation in an amount provided in Section 103-52 of the Code.

(e) In addition to civil penalties, the ~~4~~Department may seek injunctive relief to enforce the provisions of this Chapter.

(f) The penalties allowed under subsections (a) through (d) may not be imposed until after:

- 1) a notice of violation has been issued to the owner or the owner's designee by personal service or by first class United States Mail, postage prepaid;
- 2) passage of thirty (30) days, which must be stated in the notice, for the violation to be cured; and
- 3) failure of the violation to be cured within the time stated in the notice.

Sec. 851-108. Performance measures and reporting.

The Department shall measure the success of the Landlord Registry Program using without limitation, but at a minimum, the following performance measures:

(a) Number of landlords registered.

(b) Number of parcels registered.

(c) Number of fines issued and collected and the reason for the fine.

(d) Number of citations of violation of the state and local codes and ordinances opened against properties listed on the landlord registry.

(e) Status of the landlord registry fund.

Within six months of ordinance adoption, the Department shall create individual numeric benchmarks for at a minimum each of the performance measures above, as a means of tracking and measuring the annual performance of the ordinance. An annual report shall be posted on the Department's website for each of the above measures. Additionally the Department shall, no less than annually, report to the city-county council on the progress made in implementing the Landlord Registry Program. The Department shall report on the annual increase or decrease for each performance measure contained in this ordinance compared to the previous year(s). In its annual report to the City-County Council the Department shall additionally make recommendations on any needed changes to the Landlord Registry Program, including, but not limited to, eliminating the Landlord Registry Program if it is not deemed to be effective.

Councillor Mahern seconded the motion.

Councillor Freeman said that this is another example of government killing small businesses and adding another layer of bureaucracy. He said that the counsel to the minority caucus, Robert Elrod brought it to his attention that this technical amendment to define a rental unit would make individuals have to register their houses as a rental unit, and it is terrible government. If a small business owner is struggling to make ends meet, this could be just that one more thing for government intrusion to set them over the edge. He said that every piece of information that this is said to solve is already available as public record, and he is in strong opposition of the amendment and of the proposal.

Councillor Mahern said that his district suffers from too many rental properties that are not managed properly. He said that this is a modest and reasonable proposal and should move forward.

Councillor Sandlin said that he cannot support this amendment being offered at this late hour and not in the correct form as the copies that are before the Council. He asked what the rule is regarding amendments being offered on the floor. Fred Biesecker, General Counsel, stated that copies are to be made available to the president and the clerk. While it is customary to provide copies to all members, it is not required. Councillor Sandlin said that it is clear one of the clerks was actually typing this out during the meeting, sending another over to get the copies at the very last minute. He asked how they know the true cost of managing this registration process. He said that property records are already required by the State of Indiana and this information is available to the public if they just know where to look for it. He said that he opposes the amendment and the ordinance.

President Lewis said that the amendment was on everyone's desk at the beginning of the meeting, but an error was found and corrected, and new copies were made. Councillor Sandlin said that the copies they have are not the same. Mr. Biesecker said that there is nothing in the rules that indicates all councillors need to have a copy. The clerk did nothing wrong. An amendment was prepared and then a couple of councillors raised a new issue, and the amendment was further amended. At that time, the staff was asked to revise the amendment and recycle the new version.

Councillor Miller said that the reason he did not accept this in committee was because he wanted to make sure there was no added cost, and this information could easily be pulled from the computer.

Councillor Scales said that she knows the crafters have spent a lot of time on this and want to tackle a serious issue, but she does not believe the result is successful in tackling the problem. She said that she feels more code enforcement officers and health inspectors would better resolve some of these issues. This process lumps good and bad landlords together, and good landlords should not be burdened with this, and therefore she cannot support the proposal.

Councillor Hunter said that he is glad that one portion was corrected, and agrees that not all councillors need a copy of the amendment. He said that he will support the amendment, but cannot support the proposal. He said that he understands last-minute corrections come up, but these are weighty and need more time and attention. He said that he believes they should return the proposal to committee because it is more significant of an amendment that should be handled here this evening. He said that he knows one of the sponsors, Councillor Miller, would prefer it be voted on this evening, and wonders if the other sponsors would be opposed to returning it to committee to get it right.

Councillors Adamson and Barth stated that they would prefer moving forward on the issue this evening. Councillor Hunter said that he appreciates the work that has gone into this, but he fundamentally cannot support it.

Councillor Hickman said that this reminds her of the debate on the graffiti ordinance, and how those who do not suffer from it in their districts cannot really understand the good that can come from this type of legislation.

Proposal No. 195, 2014 was amended on the following roll call vote; viz:

22 YEAS: Adamson, Barth, Cain, Evans, Gooden, Gray, Hickman, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Shreve, Simpson, Talley
5 NAYS: Freeman, Holliday, McHenry, Sandlin, Scales
2 ABSENT: Brown, Oliver

Councillor Pfisterer thanked the sponsors for their work on this proposal, but she is philosophically opposed to it, because she does not believe it will solve the problem.

Councillor Barth said that they are trying to create a toolbox to keep neighborhoods strong. Over 40 neighborhood associations support this initiative to handle problem landlords.

Councillor Sandlin said that there are hundreds of ways to find the owners of properties, and he does it every day. Instead of enacting more regulations, they should work to give the neighbors tools to self-identify the problem. This is government going too far, creating layers of unnecessary government, and is one of the reasons investors are leaving Marion County, and neighborhoods will continue to deteriorate.

Councillor Lutz said that this final version is nothing like what was originally introduced, because the sponsors were willing to listen to input and take action. He said that they have done so in almost every area he has suggested. His biggest concern with this proposal as it is now, is that it does not address the fundamental issues of abandoned properties between foreclosure judgment and a Sheriff's sale. He said that he does not believe it will accomplish what it is intended to do, and they need some help from the General Assembly to really achieve some important initiatives in this area.

Councillor Adamson said that Speedway has a landlord registry that is highly successful, and that is one reason they are not plagued with this problem. He said that Marion County is the keeper of local records, and they routinely cannot find the responsible party, with corporate addresses that do not point to the person responsible. Some neighborhoods have been trying for years to get owners to be responsible, and many are out of state.

Councillor McHenry said that most complaints are with regard to properties in foreclosure and not rental properties, and therefore she does not see how this will solve the problem.

Councillor Mahern said that this is not a silver bullet, and there are many things that need to be addressed that are not addressed with this proposal. He would be happy to work with others to achieve that, but in the meantime, this proposal does address something that is much needed in the meantime.

Councillor Lutz said that he does not understand why they are doing it if it does not accomplish fixing the problem. He said that Speedway's program is far from a registration program and includes pre and post inspection and goes far beyond what is being proposed here. He said that his interest lies with abandoned homes, and this simply creates another layer of bureaucracy and more of a burden on code enforcement, without really doing anything.

Councillor Simpson moved, seconded by Councillor Talley, to call for the question and end debate. The motion carried on the following roll call vote; viz:

18 YEAS: Adamson, Barth, Cain, Evans, Gray, Hickman, Holliday, Lewis, Mahern, Mansfield, Mascari, Moriarty Adams, Osili, Pfisterer, Robinson, Scales, Simpson, Talley
9 NAYS: Freeman, Gooden, Hunter, Lutz, McHenry, McQuillen, Miller, Sandlin, Shreve
2 ABSENT: Brown, Oliver

Councillor Barth moved, seconded by Councillor Miller, to adopt Proposal No. 195, 2014, as amended. The motion carried on the following roll call vote; viz:

16 YEAS: Adamson, Barth, Cain, Gooden, Gray, Hickman, Lewis, Mahern, Mansfield, Mascari, Miller, Moriarty Adams, Osili, Robinson, Simpson, Talley
11 NAYS: Evans, Freeman, Holliday, Hunter, Lutz, McHenry, McQuillen, Pfisterer, Sandlin, Scales, Shreve
2 ABSENT: Brown, Oliver

Councillor Gooden asked for consent to explain his vote. Consent was given. Councillor Gooden said that he would not have supported the proposal without the amendments, and Mr. Roeder asked for more tools to help them in their toolbox, and therefore, he reluctantly supported the measure.

Proposal No. 195, 2014, as amended, was retitled GENERAL ORDINANCE NO. 32, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 32, 2014

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code by adding a new Chapter 851 establishing the Indianapolis-Marion County Landlord Registration Program.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. "The Revised Code of the Consolidated City and County" is hereby amended by adding a new Chapter 851, to read as follows:

**CHAPTER 851 - INDIANAPOLIS
LANDLORD REGISTRATION PROGRAM**

Sec. 851-101. Program established.

The Indianapolis Landlord Registration Program is hereby established.

Sec. 851-102. Authority.

Effective June 30, 2014, House Enrolled Act No. 1403 (2014) allows political subdivisions to establish and enforce registration and inspection programs for rental units within the political subdivision, subject to certain conditions and limitations.

Sec. 851-103. Definitions.

- (h) *Department* means the Department of Code Enforcement or its designee
- (i) *Landlord* has the meaning set forth in IC 32-31-3-3.
- (j) *Owner* has the meaning set forth in IC 32-31-3-4.
- (k) *Tenant* has the meaning set forth in IC 32-31-3-10
- (l) *Person* has the meaning set forth in IC 32-31-3-5.
- (m) *Rental Unit* has the meaning set forth in IC 32-31-3-8, except that an owner-occupied structure that:
 - a. has no portion of the area thereof promised for the use of a residential tenant, or
 - b. has a single sleeping unit being rented to a Tenantshall not be considered a "Rental Unit."
- (n) *Rental Unit Community* has the meaning set forth in IC 36-1-20-1.5.

Sec. 851-104. Registration Program.

(f) Beginning on January 1, 2015, all owners or landlords of rental units within the city must register with the Department via a method or form prescribed by the Department. The registration form shall include the following:

- 6) the name, telephone number, and a physical business or domicile address of the owner. A secondary address (not required to be physical) can be used for availability to the public;;
- 7) the name and address of:
 - a. a person residing in Indiana authorized to manage the rental unit; and
 - b. a person who is authorized to act as agent for the owner for purposes of service of process and receiving and receipting for notices and demands;

as provided in IC 32-31-3-18;

- 8) an affirmation that the rental units, the real property of which the rental units are a part, and any other rental unit property owned or registered by the owner in Marion County, are not subject to any un-remediated citation of violation of the state and local codes and ordinances;
- 9) notwithstanding section 801-202 of this code, an affirmation that there is not more than one delinquent payment of real property taxes, assessments, or penalties (other than those that are the subject of an ongoing appeal or bankruptcy proceedings) with respect to the property, or any other rental unit property owned or registered by the owner in Marion County;
- 10) a statement of the number of rental units on each separate parcel of real property covered by the registration.

(g) Beginning on January 1, 2015, an owner or landlord of a rental unit must pay to the Department an initial registration fee as provided in Section 131-501. Only one registration fee is required for all rental units in a rental unit community. If a rental unit is not part of a rental unit community, a separate registration fee must be paid for each separate parcel of real property on which a rental unit is located, unless they are all registered at the same time.

(h) In the event of a change of ownership, the new owner or landlord must, not later than thirty (30) days after the change of ownership, pay the registration fee as provided in Section 131-501 and provide updated registration information to the Department.

(i) Registrations must be renewed annually. The renewal fee may be up to the amount as provided in Section 131-501, as determined by the Department.

(j) The owner or landlord must notify the Department within thirty (30) days of any changes to registration information.

Sec. 851-105. Inspection Program.

(b) Notwithstanding IC 36-1-20-4, no inspection program will be implemented to enforce the provisions of this chapter.

Sec. 851-106. Landlord Registration Fund.

There is hereby created a special fund, to be designated as the "Landlord Registration Fund." This fund shall be a continuing, non-reverting fund, with all balances remaining therein at the end of the year, and such balances shall not revert to the city or county general funds. The controller shall deposit in this fund all fees assessed and collected pertaining exclusively to a rental unit or rental unit community. This fund shall be dedicated solely to reimbursing the costs actually incurred relating to the Indianapolis Landlord Registration Program.

Sec. 851-107. Penalties and Enforcement.

(g) Failure to register as required by Section 851-104 is subject to admission of violation and payment of a civil penalty for each rental unit or rental unit community in violation in an amount provided in Section 103-52 of the Code.

(h) Failure to update the registration within 30 days of a change in ownership as required by Section 851-104 is subject to admission of violation and payment of a civil penalty for each rental unit or rental unit community in violation in an amount provided in Section 103-52 of the Code.

(i) Failure to renew the registration as of January 1st each calendar year as required by Section 851-104 is subject to admission of violation and payment of a civil penalty for each rental unit or rental unit community in violation in an amount provided in Section 103-52 of the Code.

(j) Failure to update the registration within 30 days of a change in anything other than ownership as required by Section 851-104 is subject to admission of violation and payment of a civil penalty for each rental unit or rental unit community in violation in an amount provided in Section 103-52 of the Code.

(k) In addition to civil penalties, the Department may seek injunctive relief to enforce the provisions of this Chapter.

(l) The penalties allowed under subsections (a) through (d) may not be imposed until after:

- 4) a notice of violation has been issued to the owner or the owner's designee by personal service or by first class United States Mail, postage prepaid;
- 5) passage of thirty (30) days, which must be stated in the notice, for the violation to be cured; and
- 6) failure of the violation to be cured within the time stated in the notice.

Sec. 851-108. Performance measures and reporting.

The Department shall measure the success of the Landlord Registry Program using without limitation, but at a minimum, the following performance measures:

- (f) Number of landlords registered.

- (g) Number of parcels registered.
- (h) Number of fines issued and collected and the reason for the fine.
- (i) Number of citations of violation of the state and local codes and ordinances opened against properties listed on the landlord registry.
- (j) Status of the landlord registry fund.

Within six months of ordinance adoption, the Department shall create individual numeric benchmarks for at a minimum each of the performance measures above, as a means of tracking and measuring the annual performance of the ordinance. An annual report shall be posted on the Department's website for each of the above measures. Additionally the Department shall, no less than annually, report to the city-county council on the progress made in implementing the Landlord Registry Program. The Department shall report on the annual increase or decrease for each performance measure contained in this ordinance compared to the previous year(s). In its annual report to the City-County Council the Department shall additionally make recommendations on any needed changes to the Landlord Registry Program, including, but not limited to, eliminating the Landlord Registry Program if it is not deemed to be effective.

SECTION 2. Section 103-52 of the "Revised Code of the Consolidated City and County," regarding civil penalties for ordinance violations is hereby amended by the addition of the underscored language, to read as follows:

Sec. 103-52. Schedule of Code provisions and penalties.

The following Code (or ordinance) provisions and their respective civil penalties are designated for enforcement through the ordinance violations bureau:

<i>Code Section</i>	<i>Subject Matter</i>	<i>Civil Penalty</i>
293-321	Failure to file economic statement of interest--First offense	50.00
321-1	Swimming in unguarded waters - first offense in calendar year	50.00
361-108	Littering on premises of another	45.00
361-201	Vehicle losing its load--First offense in calendar year	50.00
391-302	Unlawful noise--First offense in calendar year	50.00
407-103	Loitering--First offense in calendar year	50.00
407-201	Unlawful fireworks use, ignition or discharge--First offense	100.00
431-108	Parking prohibited for street repairs and cleaning	20.00
431-314	Premises address violation--Second offense in calendar year	25.00
431-602	Bicycles--Second violation in a twelve-month period regarding children under twelve	50.00
431-603	Unlawful operation of bicycle--First violation in a twelve-month period	50.00
431-604	Unattended bicycle or bicycle not in operation—First violation in a twelve-month period	50.00
431-604	Unattended bicycle or bicycle not in operation—Second violation in a twelve-month period	100.00
431-604	Unattended bicycle or bicycle not in operation—Third violation in a twelve-month period	200.00
431-702	Prohibited activity in roadways--First violation in twelve-month period	25.00
431-703	Interference with vehicular traffic--First violation in twelve-month period	25.00
441-108	Pedestrian violations	12.50
441-214	Parking when temporarily prohibited	20.00
441-318	Unlawful use of horn or sounding device	15.00
441-363	Unlawfully parked trailer	20.00
441-374	Bicycle path or lane—First violation in a twelve-month period	50.00
441-407	Display of unauthorized traffic controls	15.00
441-408	Interference with traffic control devices	15.00
441-503	Consumption or possession by operator of motor vehicle--First offense in calendar year	50.00
441-504	Operating motor vehicle containing open alcoholic beverages--First offense in calendar year	50.00
511-702	Open burning	50.00
531-102	Animal at large--First offense in twelve-month period	50.00
531-202	No dog or cat permanent identification--First offense	50.00
531-202	No dog or cat permanent identification--Second and subsequent offenses	100.00
531-301	No dog or cat antirabies vaccination--First offense	100.00
531-302	No antirabies vaccination tag on dog or cat--First offense in twelve-month period	25.00

531-302	No antirabies vaccination record for feral cat colony--First offense in twelve-month period	25.00
611-403	Unlawful loading or unloading of private bus	15.00
611-501	Unlawful stopping of food vendor vehicle	15.00
611-502	Violation of noise restriction on food vendors	15.00
611-504	Failure of food vending vehicle to display required warnings	15.00
611-506	Unlawful vending from other than curbside of vending vehicle	15.00
621-106	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
621-107	Unlawful parking in certain school areas	20.00
621-108	Unlawful manner of parking	20.00
621-109	No required lights on certain parked vehicles	20.00
621-110	Violation of handicapped parking restrictions	100.00
621-111	Unlawful parking in handicapped parking meter zone	100.00
621-112	Unloading perpendicular to curb without permit	20.00
621-113	Unlawful use of bus stops and taxicab stands	20.00
621-114	Unlawful use of passenger and loading zones	20.00
621-115	Unlawful parking adjacent to certain buildings	20.00
621-116	Unlawful parking for display for sale or advertising	20.00
621-117	Unlawful parking for more than six (6) hours	20.00
621-118	Unlawful parking of commercial vehicles at night	20.00
621-119	Unlawful parking in alleys or on certain narrow streets	20.00
621-120	Unlawful parking in designated special parking areas	20.00
621-121	Parking on certain streets where prohibited at all times	20.00
621-122	Stopping, standing or parking on streets where prohibited at all times	20.00
621-123	Parking on certain streets where prohibited at all times on certain days	20.00
621-124	Parking on certain streets when prohibited at certain times on certain days	20.00
621-125	Stopping, standing or parking during prohibited hours on certain days on certain streets	25.00
621-126	Parking longer than permitted on certain streets at certain times on certain days	20.00
621-127	Unlawful outdoor storage of inoperable motor vehicle--First offense in a twelve-month period	50.00
621-127	Unlawful outdoor storage of inoperable motor vehicle--Second offense in a twelve-month period	250.00
621-221	Parking in parking meter space when prohibited	20.00
621-226	Parking in excess of maximum time permitted in parking meter space	20.00
621-227	Expired parking meter	20.00
621-306	Unlawful parking during snow emergency	25.00
621-404	Leaving taxicab unattended	20.00
621-405	Unlawful parking in certain mailbox zones	20.00
621-430(a)	Unlawful use of loading zone in Regional Center by non-eligible vehicle	25.00
621-430(b)	Unlawful use of loading zone in Regional Center--Non-permitted use	25.00
621-430(c)	Unlawful use of loading zone in Regional Center in excess of posted time limits	25.00
621-430(d)	Unlawful obstructing traffic in the Regional Center	25.00
621-430(e)	Unlawful parking in alleys or on certain narrow streets in the Regional Center	25.00
621-501	Unlawful stopping, standing or parking near fire hydrant	75.00
621-502	Unlawful obstruction of fire lane	75.00
631-102	In park after hours--First offense in calendar year	50.00
631-109	Alcohol in park--First offense in calendar year	50.00
645-528	Skateboard or similar play device--First offense in calendar year	50.00
706-105	Water conservation violation--First offense in twelve-month period	100.00
706-105	Water conservation violation--Second offense in twelve-month period	250.00
730-505	Civil zoning violations--First offense in calendar year	50.00
811-214	Alarm business failure to report monitoring information	100.00
811-311	First false alarm in calendar year after a year in which a warning was issued	25.00
811-311	Second false alarm in same calendar year as warning	25.00
811-311	Second false alarm in all other calendar years	50.00
811-311	Third false alarm in same calendar year as warning	50.00
811-311	Third false alarm in all other calendar years	75.00
811-311	Fourth false alarm in same calendar year as warning	75.00
811-311	Fourth false alarm in all other calendar years	100.00

811-704	Second faulty fire alarm in twelve-month period	25.00
811-704	Third faulty fire alarm in twelve-month period	50.00
811-704	Fourth faulty fire alarm in twelve-month period	75.00
851-107(a)	<u>Failure to register as a landlord</u>	<u>500.00</u>
851-107 (b)	<u>Failure to update the landlord registration upon change in ownership</u>	<u>250.00</u>
851-107 (c)	<u>Failure to renew annual registration as a landlord</u>	<u>100.00</u>
851-107 (d)	<u>Failure to update the landlord registration upon change in information, other than ownership</u>	<u>100.00</u>
875-702	Construction activity without required license, listing or registration – First offense in twelve-month period	250.00
Ch. 895	Horse-drawn carriage violation--First offense in twelve-month period	100.00
Ch. 903	Pedal cab violation--First offense in twelve-month period	100.00
931-305	Excessive parking charge at commercial parking facility--First offense in twelve-month period	100.00
996-77	No monthly taxicab certificate--First offense in twelve-month period	25.00
996-123	Failure to maintain public vehicle for hire--First offense in twelve-month period	25.00
996-124	Taxicab operator dress code violation--First offense in twelve-month period	25.00
996-126	Failure to display licenses or fare schedule--First offense in twelve-month period	25.00
996-138	Taxicab operator exceeding limitation on hours--First offense in twelve-month period	25.00

SECTION 3. Section 131-501 of the “Revised Code of the Consolidated City and County,” regarding license and permit fees, is hereby amended by the addition of the underscored language, to read as follows:

Sec. 131-501. Schedule of license and permit fees.

The following fees are established for their respective licenses and permits issued by the city or county:

Code Section	License or Permit	Fee
441-364	Operation of certain trucks on certain streets	\$162.00
536-211	Transfer of building permit	\$48.00
536-602	Construction or placement of, or additions to, Class 2 structures for a primary Class 2 structure	For structures less than or equal to 1,000 square feet, a minimum fee of two hundred and seventeen dollars (\$217.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply. Square feet calculation shall include the area of an attached garage or carport and the area of a finished basement or attic, but exclude the area of an unfinished basement or attic
536-602	Accessory Class 2 structure appurtenant to a primary Class 2 structure	For accessory structures less than or equal to 200 square feet a fee of forty-two dollars (\$42.00). For accessory structures greater than 200 square feet and less than or equal to 1,000 square feet, a minimum fee of one hundred ninety-three dollars (\$193.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-602	Construction or placement of, or additions to, Class 1 structures	For structures less than or equal to 2,500 square feet, a minimum fee of three hundred fifty-one dollars (\$351.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-603	Remodeling, alteration, or repair of Class 2 structures; provided, however, that when remodeling, alteration, or repair of a Class 2 structure is accomplished at the same time as an addition to an existing structure, a single permit fee shall be determined according to section 536-602	For structures less than or equal to 1,000 square feet, a minimum fee of one hundred fifty-nine dollars (\$159.00); for each additional 500 square feet, an additional fee of thirty-nine dollars (\$39.00) shall apply

536-603	Remodeling, alteration, or repair of Class 1 structures	For structures less than or equal to 2,500 square feet, a minimum fee of two hundred and fifty-seven dollars (\$257.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Installation of a plumbing system in a new Class 2 structure	For structures less than or equal to 2,500 square feet, a minimum fee of one hundred eighty-five dollars (\$185.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Installation or alteration of a plumbing system in a Class 1 structure	For the first ten (10) fixtures installed, a minimum fee of one hundred eighty-two dollars (\$182.00); for each additional five (5) fixtures, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Alteration, repair or replacement of plumbing in an existing Class 2 structure	For structures less than or equal to 1,000 square feet, a minimum fee of one hundred fifty-three dollars (\$153.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Initial connection or reconnection of plumbing to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building	\$134.00
536-605	Installation of an electrical power distribution system in a new structure or in an addition to an existing structure other than a Class 2 structure	For structures less than or equal to 2,500 square feet, a minimum fee of two hundred two dollars (\$202.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Repair, alteration or remodeling of an electrical power distribution system in an existing structure, or in an addition to a Class 2 structure	For structures less than or equal to 1000 square feet, a minimum fee of one hundred sixty-nine dollars (\$169.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Installation or replacement of space heating equipment using electricity as its primary source of energy	For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of one hundred and forty-six dollars (\$146.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Installation or replacement of space cooling equipment using electricity as its primary source of energy	For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of one hundred and forty-six dollars (\$146.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Installation or replacement of combined space heating and space cooling equipment using electricity as their primary source of energy	For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of one hundred seventy-eight dollars (\$178.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Initial connection or reconnection of electrical power to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building	\$89.00
536-605	Installation, alteration, replacement or repair of a system distributing electrical power to service equipment supplying power to manufactured home located in a manufactured home park	\$498.00

536-605	Obtaining each "electrical craft work certificate of compliance" form, as allowed in subsection 536-404(b)	\$22.00
536-606	Installation, replacement, or addition of a heating system, space heating equipment or other types of heating transfer, or installation, replacement, alteration, or addition of duct work only	For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of one hundred fifty-three dollars (\$153.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Installation, addition or replacement of a cooling system, space cooling equipment, or other types of cooling transfer, or installation, replacement, alteration, or addition to duct work only	For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of one hundred fifty-three dollars (\$153.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Installation, replacement, or addition of combined heating systems and cooling systems, combined space heating equipment and space cooling equipment, or other types of heating or cooling transfer, or installation, replacement, alteration, or addition of duct work only	For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of one hundred eighty-five dollars (\$185.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Refrigeration equipment	\$156.00
536-607	Demolition or removal of primary Class 2 structures located on the same premises	\$127.00
536-607	Demolition or removal of accessory Class 2 structure	\$94.00
536-607	Demolition or removal of Class 1 structures with ground floor area of less than two thousand five hundred (2,500) square feet	\$141.00
536-607	Demolition or removal of Class 1 structures with ground floor area equal to or greater than two thousand five hundred (2,500) square feet, but less than five thousand (5,000) square feet	\$199.00
536-607	Demolition or removal of Class 1 structures with ground floor area equal to or greater than five thousand (5,000) square feet, but less than ten thousand (10,000) square feet	\$231.00
536-607	Demolition or removal of Class 1 structures with ground floor area equal to or greater than ten thousand (10,000) square feet	\$292.00
536-607	Demolition or removal of smokestacks, aboveground storage tanks, overhead hoppers, or other similar structures	\$296.00
536-608	Master permit	The sum of the applicable fees
536-609	Administrative fee	\$215.00
536-610	General service activity permit fee	\$89.00
536-612	General construction permit, where not specified by chapters 536 or 131 of this Code	\$170.00 for Class 1 structures; and \$141.00 for Class 2 structures
536-615	Amendment of a building permit that requires submittal of additional plans	\$101.00
536-616	Building permit renewal after expiration	\$56.00

536-619	Additional service fee for applying for all demolition, master, sign, structural, and infrastructure related permits	\$32.00
536-620	Plan review of a primary or accessory Class 2 structure. Review includes appropriate structural and mechanical plan review	Eighty-five dollars (\$85.00) for structures less than 1,000 square feet. For each additional 500 square feet an additional fee of twenty-one dollars (\$21.00)
536-620	Plan review of Class 1 structures. Review includes appropriate structural and mechanical plan review	Three hundred and forty-six dollar (\$346.00) initial fee; review time in excess of three (3) hours shall be billed at a rate of ninety-one dollars (\$91.00) per hour in addition to the initial fee
536-620	Accelerated plan review of Class 1 structures. Review includes appropriate structural and mechanical plan review	\$316.00 per hour
575-7	Administrative fee for abatement of environmental public nuisance	\$288.00
601-8	Operation of sanitary landfill	\$437.00
645-548	Transfer of right-of-way overhead or subsurface use permit	\$48.00
645-579	Encroachment	\$360.00
671-22	Extension, amendment, or transfer of sewer connection permit	\$56.00
671-122	Private disposal facility	\$100.00
671-159	Extension of sanitary sewer construction permit	\$56.00
671-167	Amendment of sanitary sewer construction permit	\$56.00
671-170	Transfer of sanitary sewer construction permit	\$56.00
801-310	Administrative fee—Licensing	\$215.00
807-203	Adult entertainment business	\$377.00
811-213	Alarm business	\$250.00
831-2	Amusement location	\$207.00
836-2	Kennel, pet shop, or stable	\$200.00
845-106	Ticket broker	\$57.00
<u>851-104</u>	<u>Rental registry/renewal</u>	<u>\$5.00</u>
875-701	New listing or license for a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor	\$247.00 for a business entity; and \$377.00 for an individual
875-701	Renewal of a listing or license for a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor	\$247.00
875-701	Registration of state licensed plumbing contractors who are sole proprietors, and individuals within a corporation who are eligible to secure permits	\$142.00

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875-701	Additional names of persons eligible to secure permits for a contractor	\$63.00
881-7	Dance permit	\$209.00
881-7	Annual dance license	\$335.00
886-8	Fire extinguisher service company	\$207.00
895-1	Horse-drawn carriage	\$105.00
901-3	Hotel	\$291.00
903-102	Pedal cabs	\$70.00
909-103	Lobbyist	\$100.00
911-6	Massage parlor, bathhouse, escort service, body painting studio or nude modeling studio	\$319.00
911-6	Massage therapist, escort, body painting model or nude model	\$103.00
931-201	Commercial parking facility	\$207.00
936-2	Public pay telephone	\$81.00
951-104	Pawnbroker	\$320.00 for each place of business of licensee
951-302	Annual fee for flea market merchant license	\$143.00
951-404	Dealers in salvage or scrap metal	\$568.00 for each place of business of licensee
955-1	Trash hauling	\$286.00
961-204	Vendor cart in franchise zone or commercial franchise zone	\$99.00
961-209	Vendor cart transfer	\$69.00
961-303	Vendor cart franchise zone drawing	\$40.00
986-103	Special event fee—250 to 2,500 attendees	\$75.00, or \$175.00 if the special event requires fire department personnel or apparatus
986-103	Special event fee—Over 2,500 attendees	\$268.00, or \$368.00 if the special event requires fire department personnel or apparatus
986-202	Limited duration license without inspection	\$75.00
986-202	Limited duration license with inspection	\$139.00
987-102	Transient merchant	\$121.00
988-103	Tobacco specialty bar	\$215.00
995-201	Tow business	\$145.00, and \$21.00 for every five (5) tow truck operators employed or contracted by the licensee
996-25	Taxicab operator	\$59.00
996-47	Public vehicle for hire—Per vehicle	\$208.00

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 210, 2014. Councillor Adamson reported that the Public Works Committee heard Proposal No. 210, 2014 on July 24, 2014. The proposal, sponsored by Councillor Mascari,

authorizes a reduction in speed limit in certain areas between Hanna Avenue and National Avenue (District 20). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Adamson moved, seconded by Councillor Mascari, for adoption. Proposal No. 210, 2014 was adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty
0 NAYS:
2 ABSENT: Brown, Oliver

Proposal No. 210, 2014 was retitled GENERAL ORDINANCE NO. 33, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 33, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-323, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

Dearborn Street, from Hanna Avenue to National Avenue, 25 mph.
Lasalle Street, from Hanna Avenue to National Avenue, 25 mph.
Olney Street, from Hanna Avenue to National Avenue, 25 mph.
Ewing Street, from Hanna Avenue to National Avenue, 25 mph.
Kealing Avenue, from Griffin Street to National Avenue, 25 mph.
National Avenue, from Dearborn Street to Sherman Drive, 25 mph.
Griffin Street, from a point 225 feet west of Dearborn Street to Sherman Drive, 25 mph.
Macklin Drive, from Lasalle Street to Sherman Drive, 25 mph.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 227, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 227, 2014 on July 21, 2014. The proposal, sponsored by Councillors Lewis and McQuillen, approves the issuance of promissory notes by the Metropolitan Development Commission in an amount not to exceed \$12,500,000 for the purpose of acquisition of real property and rehabilitation needed at Keystone North Apartments. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Robinson moved, seconded by Councillor Cain, for adoption.

Councillor Simpson made the following motion:

Madam Chair:

I move to amend Section 1 of Proposal No. 227, 2014, as previously amended in committee, by adding the language that is highlighted and double-underlined, to read as follows:

SECTION 1. The City-County Council hereby approves Resolution No. 14-C-024, adopted by the Commission, and the issuance of the Promissory Notes in an amount not to exceed Twelve-Million, Five- Hundred-Thousand Dollars (\$12,500,000.00) authorized therein, subject to the condition that the owner of the real property represents and warrants, in a form acceptable to both the Department of Metropolitan Development and the United States Department of Housing and Urban Development, that it has clear title to the real property; and subject to the further condition that the proceeds of the Promissory Notes and the proceeds of any loans related thereto shall not be used for the purpose of settling pending litigation against the current project owner.

Councillor Hickman seconded the motion.

Councillor Scales said that as the district councillor for this area, she supports the proposal and has not heard any opposition from any of the stakeholders.

Mr. Biesecker said that a technical amendment to the offered amendment should be made, as the words “represents and warrants” was amended to “demonstrates” already by the committee. Councillor McQuillen asked the difference. Mr. Biesecker said that “demonstrates” is a stronger, more concrete word.

Councillor Lutz asked if this is a demonstration under penalties of perjury. Councillor Gooden said that the demonstration would be to whatever form is acceptable to the Department of Metropolitan Development and Housing and Urban Development.

Proposal No. 227, 2014 was amended on the following roll call vote; viz:

26 YEAS: Adamson, Barth, Cain, Evans, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
1 NAY: Freeman
2 ABSENT: Brown, Oliver

Proposal No. 227, 2014 was adopted, as amended, on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
0 NAYS:
2 ABSENT: Brown, Oliver

Proposal No. 227, 2014, as amended, was retitled GENERAL RESOLUTION NO. 12, 2014, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 12, 2014

A GENERAL RESOLUTION approving the issuance by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, of Promissory Notes in an amount not to exceed Twelve Million, Five-Hundred-Thousand Dollars (\$12,500,000.00) for the purpose of acquisition of real property and repair/rehabilitation needed at Keystone North Apartments, 4004 Meadows Drive in Indianapolis, Indiana (“Keystone North Apartments Project”).

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (“Commission”) has adopted Resolution No. 14-C-024 (the “Resolution”), authorizing the issuance of Promissory Notes of the City of Indianapolis, Department of Metropolitan Development, in an amount not to exceed Twelve-Million, Five-Hundred-Thousand Dollars (\$12,500,000.00) (the “Promissory Notes”); and

WHEREAS, Section 3 of Fiscal Ordinance No. 19, 2014, requires the Department of Metropolitan Development to report to the Council on each project approved for the Section 108 Loan Program; and

WHEREAS, the Promissory Notes will be repaid from the following sources, which will be the collateral for the loan and which will be pledged as security for repayment:

- (a) All allocations or grants which have been made or for which the City may become eligible under Section 106 of Title I, as well as any grants which are or may become available to the City pursuant to Section 108(q) of Title I.
- (b) "Program Income," as defined at 24 CFR 570.500(a) directly generated from use of the Guaranteed Loan Funds.
- (c) All proceeds (including insurance and condemnation proceeds) from any of the foregoing.
- (d) All funds or investments in the Guaranteed Loan Funds Account, Guaranteed Loan Funds Investment Account and Loan Repayment Account, as defined in the Loan Guarantee Contract entered into between the Commission and the Secretary of United States Department of Housing and Urban Development.

WHEREAS, the proceeds of the Promissory Notes will be applied to the costs of the Keystone North Apartments Project, all as set forth in the Resolution and shall be expended only on costs for which such funds may be expended under Section 108 of the Housing and Community Development Act of 1974 ("Act") and regulations adopted pursuant thereto; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves Resolution No. 14-C-024, adopted by the Commission, and the issuance of the Promissory Notes in an amount not to exceed Twelve-Million, Five- Hundred-Thousand Dollars (\$12,500,000.00) authorized therein, subject to the condition that the owner of the real property demonstrates, in a form acceptable to both the Department of Metropolitan Development and the United States Department of Housing and Urban Development, that it has clear title to the real property; and subject to the further condition that the proceeds of the Promissory Notes and the proceeds of any loans related thereto shall not be used for the purpose of settling pending litigation against the current project owner.

SECTION 2. The City-County Council hereby irrevocably pledges to the timely and punctual payment of the principal of and interest on the Promissory Notes:

- (a) All allocations or grants which have been made or for which the City may become eligible under Section 106 of Title I, as well as any grants which are or may become available to the City pursuant to Section 108(q) of Title I.
- (b) "Program Income," as defined at 24 CFR 570.500(a) directly generated from use of the Guaranteed Loan Funds.
- (c) All proceeds (including insurance and condemnation proceeds) from any of the foregoing.
- (d) All funds or investments in the Guaranteed Loan Funds Account, Guaranteed Loan Funds Investment Account and Loan Repayment Account, as defined in the Loan Guarantee Contract entered into between the Commission and the Secretary of United States Department of Housing and Urban Development.

SECTION 3. The proceeds from the sale of the Promissory Notes in an amount not to exceed Twelve Million, Five-Hundred-Thousand Dollars (\$12,500,000.00) are hereby transferred in the Federal Non-Reverting Fund for the Keystone North Apartments Project for the life of that Project.

SECTION 4. This Resolution shall be effective upon compliance with IC 36-3-4-14.

PROPOSAL NO. 228, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 228, 2014 on July 23, 2014. The proposal, sponsored by Councillors Moriarty Adams and Pfisterer, approves transfers of \$135,000 in the 2014 Budget of the Department of Public Safety, Animal Care and Control and Homeland Security Divisions (Consolidated County Fund) for fleet services expenses. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gray asked if they are laying anyone off as a result of this coming from Character 01. Councillor Moriarty Adams said that they are not laying anyone off, but may not be filling some vacancies.

Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 228, 2014 was adopted on the following roll call vote; viz:

26 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Talley
0 NAYS:
1 NOT VOTING: Simpson
2 ABSENT: Brown, Oliver

Proposal No. 228, 2014 was retitled FISCAL ORDINANCE NO. 35, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 35, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) to transfer appropriation between characters, with no increase in appropriation for purposes of the Department of Public Safety.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect transfers of appropriation hereinafter stated for purposes of the Department of Public Safety.

SECTION 2. The Department of Public Safety, Animal Care and Control, transfer among characters of \$105,000 from Character 1 to Character 5 in the Consolidated County Fund to pay for fleet services expenses. The following transfer of appropriation is hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Consolidated County Fund 15001	(105,000)	0	0	0	105,000	0

SECTION 3. The Department of Public Safety, Department of Homeland Security, transfer among characters of \$30,000 from Character 1 to Character 5 in the Consolidated County Fund to pay for fleet services expenses. The following transfer of appropriation is hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Consolidated County Fund 15001	(30,000)	0	0	0	30,000	0

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 230, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 230, 2014 on July 23, 2014. The proposal, sponsored by Councillor Mascari, approves an amendment to the Marion County Sheriff's Office Personnel Retirement Plan. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sandlin asked if there is an impact on the Sheriff's pension actuary costs. Mike Binder, counsel to the Marion County Sheriff's pension board, said that there is no impact.

Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 230, 2014 was adopted on the following roll call vote; viz:

26 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley

1 NAY: Holliday

0 NOT VOTING:

2 ABSENT: Brown, Oliver

Proposal No. 230, 2014 was retitled GENERAL RESOLUTION NO. 13, 2014, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 13, 2014

PROPOSAL FOR A GENERAL RESOLUTION to approve an amendment to the Marion County Sheriff's Office Personnel Retirement Plan.

WHEREAS, the Marion County Sheriff's Office Personnel Retirement Plan (hereinafter referred to as "Plan") was established by the Marion County Sheriff's Office, Indianapolis, Indiana effective January 1, 1963, and was restated effective January 1, 2008; and

WHEREAS, the Marion County Sheriff's Office reserved the right to amend the Plan; and

WHEREAS, the Marion County Sheriff and the Marion County Sheriff's Office Pension Board have approved a Third Amendment to the restated Plan, attached hereto and incorporated herein, to 1) prevent the application of retroactive benefits, and 2) allow Plan participants who are not married and who are without dependent children to name a beneficiary to receive a return of the participant's contributions; and

WHEREAS, state law mandates that a department may not establish or modify a retirement plan without approval of the county fiscal body; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to the specific authority granted by Indiana Code § 36-8-10-12, the "Third Amendment to Marion County Sheriff's Department Personnel Retirement Plan" as attached hereto and incorporated herein, shall be and hereby is approved.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 232, 2014. Councillor Barth reported that the Rules and Public Policy Committee heard Proposal No. 232, 2014 on August 5, 2014. The proposal, sponsored by Councillor Robinson, amends Chapter 251 of the Code by adding a requirement that automated external defibrillators be available in certain public places. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mansfield made the following motion:

Madam Chair:

I move to amend Section 1 of Proposal No. 232, 2014, specifically Sec. 251-605 (a) regarding the definition of *Public place* by adding the language that is highlighted and underlined, to read as follows:

Sec. 251-605. Automated External Defibrillators

(a) Definitions. For purposes of this section, the following terms shall have the following meanings:

Public place means the publicly accessible areas of the following places to which the public is invited or permitted:

- (i) Public buildings maintained by any office, department or agency of the Consolidated City of Indianapolis and Marion County;
- (ii) All parks under the jurisdiction of the department of parks and recreation that have facilities where an AED can be secured with access by staff; and
- (iii) All sports and recreational facilities under the jurisdiction of the department of parks and recreation that have facilities where an AED can be secured with access by staff.

Councillor Moriarty Adams seconded the motion.

Councillor Sandlin said that he has trained with AEDs for many years, and is concerned about the funding for this. He moved, seconded by Councillor Cain, to return Proposal No. 232, 2014 to committee.

Councillor Mansfield said that returning the proposal is not necessary and another fiscal ordinance can be prepared to fit notice requirements if funding is needed. Mr. Biesecker agreed and said that if this passes this evening, a fiscal can be introduced at the next meeting to pass by September 22, 2014 before any purchases are made. Councillor Mansfield said that she therefore sees no reason to sending this back to committee.

Councillor Robinson agreed and said that he strongly opposes the motion, and federal grant money is one of many options being considered for funding.

Councillor Pfisterer said that it makes sense to return this issue to committee, because specifying a funding source in the proposal is logical. She said that many departments have staff that are trained on AEDs in a non-stressful environment, but it is very different in an emergency. She encouraged them to return the proposal to committee and that a training component be added, along with some provision for inspection, maintenance, and battery testing on the equipment.

Councillor Sandlin said that he understood grant money was being considered for some of it, but that the remaining funding had not been identified. He said that there is also no idea regarding how many AEDs need to be supplied and in what locations, and he thinks it needs further discussion.

Councillor Hickman said that there are time constraints and it seems silly to put anyone's life in danger by delaying this by one more day.

Councillor Freeman said that he is not against having these defibrillators, but they do not know how much they will cost, how many they need, and how much grant money is available. It is good business to discuss these things, and a budget needs to be in mind to make good decisions.

Councillor Gooden said that he believed there was some comfort level in committee about where the funding would come from. Bart Brown, Council Chief Financial Officer, said that they worked with purchasing on an estimate of \$1,500 per unit, and the list of facilities indicated a need for approximately 70 machines. The total needed to purchase and install would be about \$110,000, and this would be an acceptable use for the Fire Cumulative Fund, which can easily absorb that cost, with a \$2 million projected fund balance in that fund.

Councillor Hunter asked if the State EPA would determine which brand is purchased and used. Mr. Brown said that the state would do all that for them, or they could do their own bid.

Councillor Mansfield said that it was testified that 60 could maybe be acquired through a federal grant, and only 10 units would actually need to be purchased with fund balance.

Councillor Pfisterer asked if the fire chief has signed off on using the Fire Cumulative Fund. She said that with the fire truck situation, \$2 million in the fund balance does not seem like much. Mr. Brown said that these funds would be eligible, but there is willingness from the Mayor and the Controller to find the funding. Councillor Hunter asked if it is possible no fiscal will then be needed. Mr. Brown said that no fiscal will be needed if this is not adopted, but they will have to appropriate a grant if it is approved, even though they may not see a fiscal for use of fund balance.

Councillor Lutz asked if there was testimony as to how many times this could have been used and was not available. Councillor Barth said that he does not see a direct reference to instances in Marion County in the minutes, but the Department of Public Safety responded to over 500 cardiac arrests last year in Marion County. Councillor Mansfield said that there was testimony from a physician about the improved chances for survival when one is available. She added that an AED was also demonstrated during the meeting.

Councillor Gray said that a golfer's life was saved about a month ago at Golf Club of Indiana by using this device.

The motion to return Proposal No. 232, 2014 to committee failed on the following roll call vote; viz:

7 YEAS: Cain, Evans, Freeman, Holliday, McHenry, Pfisterer, Sandlin
20 NAYS: Adamson, Barth, Gooden, Gray, Hickman, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McQuillen, Miller, Moriarty Adams, Osili, Robinson, Scales, Shreve, Simpson, Talley
2 ABSENT: Brown, Oliver

Councillor Scales said that she has had to perform CPR twice recently, and one of these devices would have helped tremendously.

Councillor Hunter said that he supports the amendment, but he hopes they will further put plans in place to monitor that these devices stay in working order.

The motion to amend Proposal No. 232, 2014 carried on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
0 NAYS:
2 ABSENT: Brown, Oliver

Councillor Barth moved, seconded by Councillor Talley, for adoption, as amended. Proposal No. 232, 2014 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Barth, Evans, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Scales, Shreve, Simpson, Talley
3 NAYS: Cain, Freeman, Sandlin
2 ABSENT: Brown, Oliver

Councillors Sandlin and Cain asked to explain their votes. Consent was given. Councillors Sandlin and Cain said that they could not vote to support the proposal not knowing where the funding was coming from, but they do support the use of AEDs.

Proposal No. 232, 2014, as amended, was retitled GENERAL ORDINANCE NO. 34, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 2014

A PROPOSAL FOR A GENERAL ORDINANCE amending Chapter 251, Article VI of the “Revised Code of the Consolidated City and County,” by adding a requirement that automated external defibrillators be available in certain public places.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 251, Article VI of the “Revised Code of the Consolidated City and County,” is hereby amended by adding a new Section 251-605, to read as follows:

Sec. 251-605. Automated External Defibrillators

(b) Definitions. For purposes of this section, the following terms shall have the following meanings:

Automated external defibrillator (or “AED”) means a medical device, approved by the United States food and drug administration, that:

- (i) Is capable of recognizing the presence or absence in a patient of ventricular fibrillation and rapid ventricular tachycardia;
- (ii) Is capable of determining, without intervention by an individual, whether defibrillation should be performed on a patient;
- (iii) Upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to a patient’s heart; and
- (iv) Upon action by an individual, delivers an appropriate electrical impulse to a patient’s heart to perform defibrillation.

Owner or operator means the owner, manager, operator, or other person or persons having control of a public place.

Public place means the publicly accessible areas of the following places to which the public is invited or permitted:

- (iv) Public buildings maintained by any office, department or agency of the Consolidated City of Indianapolis and Marion County;
- (v) All parks under the jurisdiction of the department of parks and recreation that have facilities where an AED can be secured with access by staff; and
- (vi) All sports and recreational facilities under the jurisdiction of the department of parks and recreation that have facilities where an AED can be secured with access by staff.

IEMS means the Indianapolis Emergency Medical Services Division of the Department of Public Safety.

(c) AED Requirements for Public Places. An owner or operator of a public place shall do the following:

- (i) Ensure that an AED is located on the premises and is easily accessible to staff and emergency response teams;
- (ii) Employ at least one individual who has satisfactorily completed a course consistent with the most current national guidelines for, and is currently certified in, cardiopulmonary resuscitation and AED use;
- (iii) Post a sign at each public entrance that indicates the location of the AED;
- (iv) Ensure compliance with the requirements of IC 16-31-6.5; and
- (v) Notify IEMS of the location of the AED.

(d) Immunity. A person is immune from civil liability for acts or omissions involving the use or failure to use an AED located on the premises of a public place as provided under IC 34-30-12-1.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with I.C. 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor McQuillen stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Cain in memory of Mary Agnes Lindgren; and
- (2) Councillors Lutz and Mansfield in memory of Barbara Duncan; and
- (3) Councillor Lewis in memory of Lillie Mae Turner and Al Hobbs; and
- (4) Councillors Pfisterer, Hunter and Sandlin in memory of George Scott, Perry Renn, Isaac Redmond, Jerry Percy and Keith Freeman; and
- (5) Councillor Evans in memory of Mary Barber, Anita Marie Fishburn and Minnie Elizabeth Douglass-Small; and
- (6) Councillor McQuillen in memory of Charles A. Hunter, Walter G. Vonnegut and Richard C. Lindstaedt; and
- (7) Councillor Gooden in memory of Anne Beekman Kraege.

Councillor McQuillen moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Mary Agnes Lindgren, Barbara Duncan, Lillie Mae Turner, Al Hobbs, George Scott, Perry Renn, Isaac Redmond, Jerry Percy, Keith Freeman, Mary Barber, Anita Marie Fishburn, Minnie Elizabeth Douglass-Small, Charles A. Hunter, Walter G. Vonnegut, Richard C. Lindstaedt and and Anne Beekman Kraege. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:10 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 18th day of August, 2014.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:


Clerk of the Council

(SEAL)

August 18, 2014